



YOUR LEGAL RIGHTS
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VICTIM OF A CRIME? KNOW YOUR RIGHTS

Negligent Security cases involve individuals that have been attacked and injured on a business owner's property, when the business owner is negligent of failing to provide proper security in the area. The owner of a business property has a duty to protect a guest on the premises from a criminal attack that is reasonably foreseeable.

The foreseeability of an attack is based upon the business owner's past experience that there is a likelihood of disorderly conduct which may endanger the safety of his patrons. Therefore, in other words, if management knew or should have known of a general or specific risk to individuals and failed to take reasonable steps to guard against that risk and because of that failure a person is injured due to an attack, the business owner may be held financially responsible for the victim's injuries.

In order to prove a negligence security case, a good source of information to show prior similar attacks would be to obtain police records. The police department assigned to the business property should keep records of every time they are called to the business establishment because of an alleged crime or assault. The department codes the calls and divides them into different categories such as burglary, larceny, vandalism, robbery, assault, stolen vehicle and other crimes.

If it can be established that the business owner knew based upon past experience of a likelihood that their patrons would be endangered and attacked, and failed to implement proper procedures for the safety of their patrons, they may be held liable for negligent security and be responsible to the injured person for those injuries.

Different ways that a business owner can protect their patrons would be to maintain proper lighting in the business establishment, and possibly even hire a security guard to patrol the area in an attempt to keep the area safe for their patrons.

The more evidence of prior incidents of crimes at the business owner's property, the higher the likelihood that the business owner is going to be held liable for the victim's injuries.

Along with the claim for negligent security, a victim of a crime may also make a claim through the office of the Florida Attorney General, Bureau of Victim's Compensation. The State of Florida through the Attorney General's office has set up a trust fund to offer financial assistance to victims of violent crimes who were injured as a result of a crime



and are experiencing financial hardship. For more information with reference to the victim's compensation fund, please call 1-800-226-6667 or visit www.myfloridalegal.com and click on "Crime Victim's Service."

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